



Valley Advocates for Responsible Development

Oct 4, 2022

Teton County Planning & Zoning Commission
150 Courthouse Drive
Driggs, ID 83422

RE: High Noon Ranch Rural Reserve PUD Concept Plan

Dear Commissioners:

This Commission has been placed in a tough situation time and time again with such an onslaught of development applications, but our organization believes you are selling the Commission short to refer to your role as “box checkers” on a continual basis. As appointed Planning & Zoning Commissioners you are excluded from the political scene, but held to a standard of achieving technical preparedness that can best benefit our elected officials. As Planning & Zoning Commissioners your service is as technical advisors - working through details to prepare the elected officials to make the best decision possible given often complicated circumstances.

As Commissioners, you are responsible to interpret, in good faith, the Comprehensive Plan and the Land Development Code. To interpret the will of the people of the Valley - making recommendations following reasoned decisions.

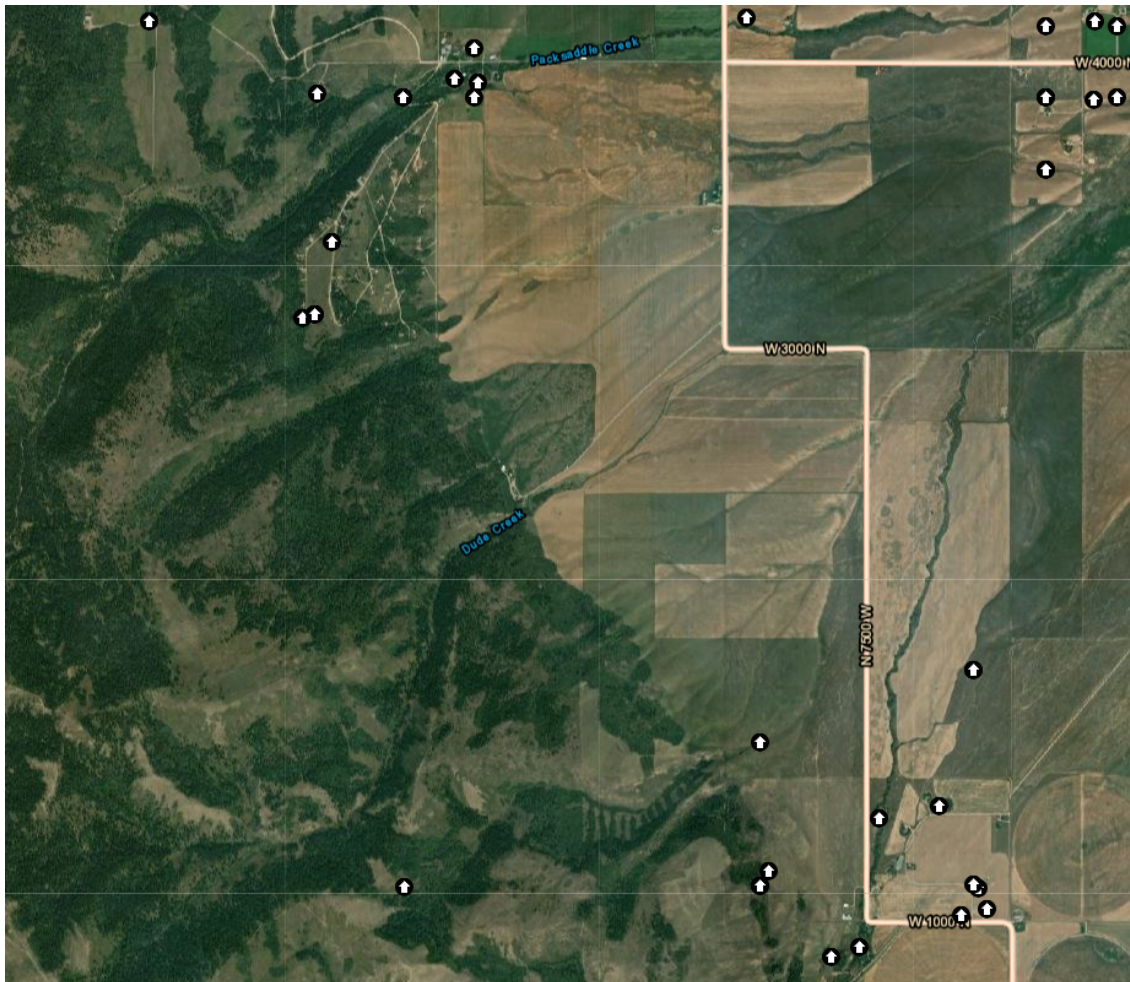
At this time, we believe this Concept Plan application should be denied outright as its expectations of supporting studies and community support required through further applications will just put the developer more invested into a project that isn't feasible and simply doesn't fit within a good faith interpretation of the Comprehensive Plan or the Land Development Code. Water supply and future asks through the anticipated Conditional Use Permit process are stand alone reason for denial.

285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ♦ 208.354.1709 fax ♦ www.tetonvalleyadvocates.org



Valley Advocates for Responsible Development

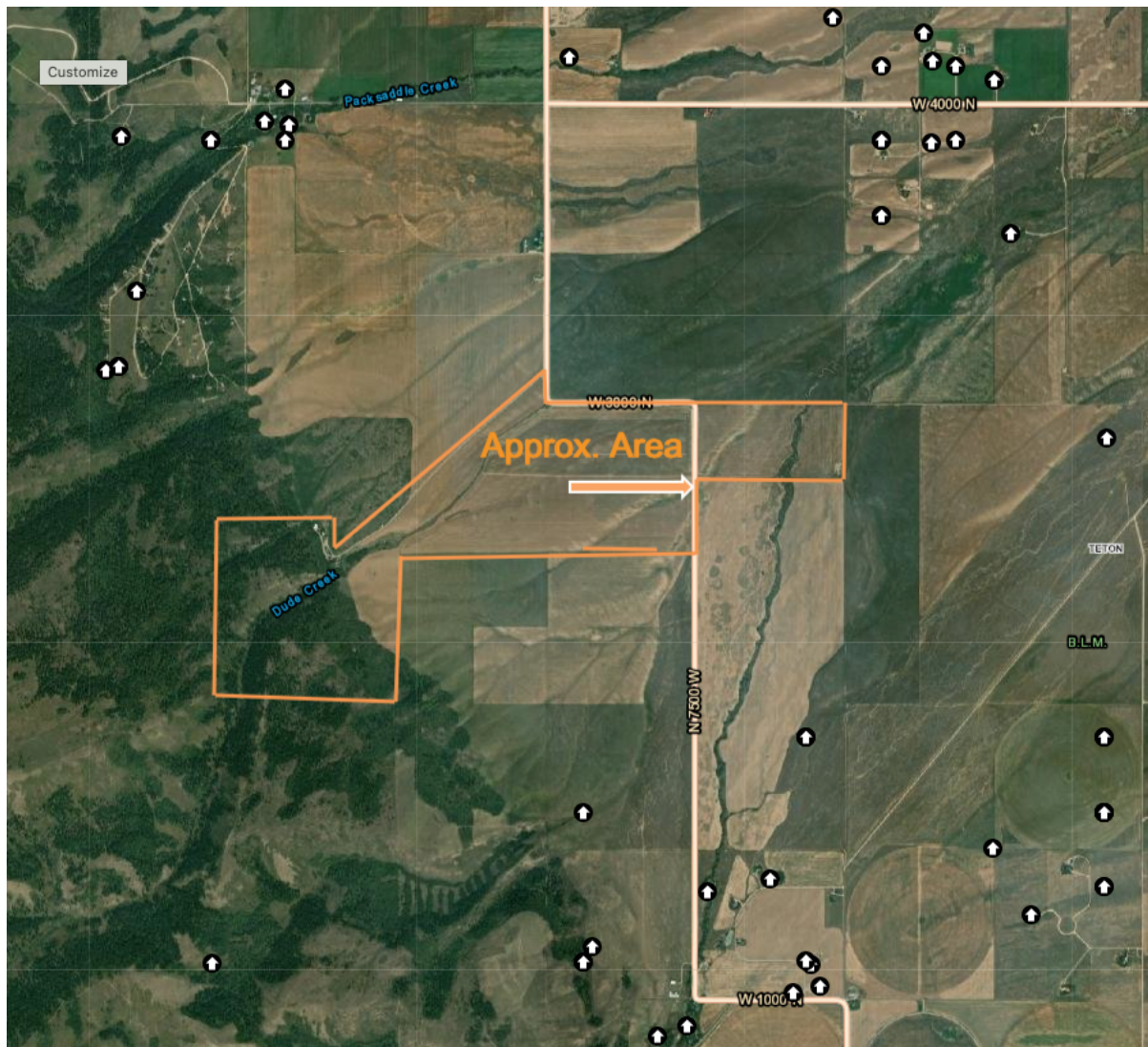
While farm and ranching settlers have been in Teton Valley for over 140 years, this area of the Valley has consistently remained one of the most sparsely populated due to the difficulties in accessing water. There are no wells in the Dude Creek - 3000N area where High Noon Ranch is proposed. Looking at the wells that are platted in the farther reaches of the area (see below), they are over 400 feet deep, some even over 600 feet deep.



285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ♦ 208.354.1709 fax ♦ www.tetonvalleyadvocates.org



Valley Advocates for Responsible Development



The last major development to be built in this remote corner of the Big Hole Mountains was West Ridge Ranch - which was platted fifteen years ago in 2007. West Ridge Ranch was supposed to be a 120-lot planned unit development that would be serviced with a community water system - just like High Noon Ranch. Now in 2022, only six homes have even been built in West Ridge because of the [long-standing problem](#) (Teton Valley News April 6, 2017: *"The West Ridge Blues: Lot owners look to overcome water problems"*) that the water system wells for this development cannot

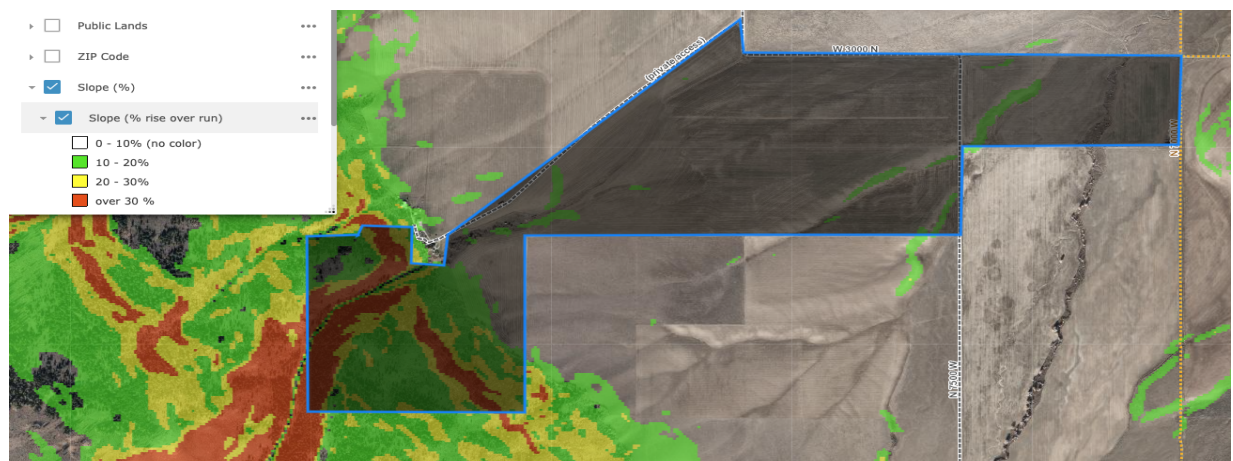
285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ♦ 208.354.1709 fax ♦ www.tetonvalleyadvocates.org



Valley Advocates for Responsible Development

produce enough water to support the construction of any more homes in West Ridge. Likewise, when nearby Canyon Creek Ranch planned unit development was first platted on the north end of the Big Hole Mountains in 2009, the wells for the community water system were designed to be almost 800 feet deep and prohibitively expensive unless Teton County approved significant housing densities within the development in order to sustain the cost of the system. Canyon Creek was [ultimately never built and the plat was vacated in 2009](#) (Teton Valley News Oct 26, 2016: *"The Ghosts of Canyon Creek."*) Today, all that remains of Canyon Creek are vacant 22 lots on 1,763 acres - with no constructed wells.

The casting pond, corral pond, and flowing water features included in the High Noon Ranch Concept Plan are more ambitious and unlike anything else in the entire surrounding area. The application narrative includes no information regarding confirmed (aka decreed) water rights to sustain this plan. Even if the applicant were to use surface water rights along Dude Creek, those rights will be tied up for years in the transfer process with the Idaho Department of Water Resources. The applicant has not demonstrated that they currently own any water rights to support this plan nor has the applicant shown any pending applications to the Department of Water Resources in order to acquire such rights. **The issue of fire protection water is also of top concern here.** Many slopes within development exceed 30 degrees and include grasses and brushland. (See below)



The western end of High Noon Ranch includes slopes over 30 degrees.



Valley Advocates for Responsible Development

Along these steep slopes, the applicant has proposed to construct 69 dude ranch units interwoven throughout steep wooded foothills and brushlands. This steep, wooded, western half of the property (which is slated to be the most densely developed with homes and ranch units) is also entirely within the Wildfire Hazard Overlay (See below).



Nearly all of the western half of High Noon Ranch is within the Wildfire Hazard Overlay.

Moreover, the physical span on this project is so large, that the main entrance at 3000N and 8000S is still **well over 1.3 miles** away from these 69 far-flung dude ranch housing units, spread out along steep hillsides on the other side of the development. If there happened to be a fire out there, at best, the main access of High Noon Ranch (which is the most accessible part of the development by vehicle) is still located **over nine miles on remote dirt roads from the nearest fire station in Teton.**



Valley Advocates for Responsible Development

With these significant risk factors, the applicant must take wildland and structure fire protection measures very seriously. Once again, the applicant has made no demonstration of any readily available (or even pending approval) water sources that can supply this level of fire protection.

As with other 'tried and failed' attempted projects across the Valley, this dense, resort type, development may have a place in the Valley, but NOT in this location. The prudent path forward is to deny this request. Review and possible approval of this Concept Plan is premature.

REASONS FOR DENIAL

- Water accessibility.
- This Concept Plan is large in both scale and impacts.
- This Concept Plan does little to acknowledge, much less mitigate, for protective overlays.
- This Concept Plan contains no information about infrastructure, or public improvements. Concept Plan Applications require that: "the applicant shall provide a Concept Plan that depicts lots, infrastructure, open space, and public improvements."
- The burden of proof to show that an application is complete and responsive to the requirements of the Land Development Code is on the applicant.
- The Concept Plan includes no information about how the project will be phased, particularly when and how the necessary infrastructure and public improvements will be implemented.
- The Concept Plan includes no information from a traffic study, and without it, this Commission cannot determine if the existing road infrastructure can serve this large-scale development or what improvements are necessary. *For example, will a traffic signal, turning lane, or roundabout be necessary? If so, who will pay for them?* These are fundamental concerns that affect Concept Plan review and without the knowledge, this Commission is unable to identify fatal flaws with regard to conformance with Teton County's Code and Comprehensive Plan.
- The Concept Plan includes no information about building, landscaping, streetscape, public space, or other design elements of the project. Each design element is interrelated, and a proper design process cannot occur without a complete, holistic design review process.



Valley Advocates for Responsible Development

Taking all these reasons and risk factors into account, we recommend the Planning & Zoning Commission deny this Concept Plan to give the applicant an opportunity to return with a more reasonable, responsible, and thorough application at a future date.

Respectfully submitted,

Niki Richards

Executive Director, Valley Advocates for Responsible Development